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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,441	03/30/2004	Orozoo Gavaldon Humberto	MX/JFC04-GO-02	3378

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LAW OFFICE OF CARMEN PILI EKSTROM
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LOS ALTOS, CA 94020

EXAMINER

WILKENS, JANET MARIE

ART UNIT	PAPER NUMBER
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3637

MAIL DATE	DELIVERY MODE
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09/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/812,441	Applicant(s) HUMBERTO, OROZOO GAVALDON	
	Examiner Janet M. Wilkens	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Attachment A</u> |

Amendments under rule 37 CFR 1.121

Please note that several of the claim status identifiers were incorrect in the last response. See notations in attachment. Please change accordingly in next response.

Claim Objections

Claims 5 and 9 are objected to because of the following informalities: in claim 5, line 2, drawer should be drawers and in claim 9, line 2, shelf should be shelves.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. For claim 1, it is unclear whether or not the "a shorter tower lateral screen" and the "a taller tower lateral screen" are part of the screens claimed previously. Also "the opposing enclosure wall" lacks antecedent basis. For claim 5, "the holes" lacks antecedent basis. For claim 6, it is unclear which enclosure wall is being referred to since plural walls have been claimed previously. For claims 6, 7 and 11, "the main tower module" lacks antecedent basis. For claim 15, it is improper to "un-claim" a limitation. It makes it unclear what is or isn't the claimed subject matter.

Allowable Subject Matter

Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claims 2-15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

Please note that several of the 112, second paragraph issues still exist, as discussed above. A call was made to/message left for Carman Pili Ekstrom on August 28, 2007 to discuss these issues; however, as of the date of this action, no return call had been received. See proposal attached.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 3637

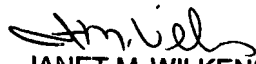
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janet M. Wilkens whose telephone number is (571) 272-6869. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Wilkens
August 31, 2007


JANET M. WILKENS
PRIMARY EXAMINER
AAU 3637

Proposal - Attachment A

In re Orozco

U.S. Application Serial No. 10/812,441

Response to Office Action dated August 14, 2006

Listing of Claims:

1. (Currently Amended) A modular system having adjustable units for use inside closets of different widths, the system comprising a main tower module based on lateral screens and multiple shelves, wherein one of the lateral screens is taller than the other, said main tower module being fastened onto an enclosure space in a fixed position and is combined on its sides with hanging modules, one of the hanging modules accommodating long clothes and having a shelf panel placed in its upper part and having a hanging pipe held by fastening elements on an enclosure wall and on the main ^{of the other} a shorter tower lateral screen^s; the other hanging module is a double hanging module having two hanging sections with two hanging pipes held by fastening elements on the ^{on} opposing enclosure wall and on the main ^{of the} a taller tower lateral screen^s, the edges of the lateral screens being reinforced with extruded plastic profiles.

2. (Currently Amended) A modular system according to claim 1, wherein each lateral screen has two coupled sections to form a single lateral screen, ~~the coupling being through metal, wooden or plastic tongued and grooved elements [in the case of popular finishing] or reinforced with extruded plastic profiles.~~

3. (Currently Amended) A modular system according to claim 1, wherein the double hanging module has a shelf panel that is supported on the taller screen of the main tower module and on the fastening element of the upper hanging pipe, said shelf panel is fastened onto the a back wall through fastening elements and a supporting element for excess load, the supporting element being a fork type which opposes compression stresses.

4. (^{Previously}Currently Amended) A modular system according to claim 1, wherein the ~~main~~ tower module includes sliding chests of drawers with edges lined and reinforced with extruded PVC edges or with plastic tape.

5. (Currently Amended) A modular system according to claim 4, wherein each ^Sof the drawer has members which are assembled through grooved channels, the lateral members joined onto the back member through screws and the front member is joined to the lateral members through plastic fastening corner elements having on one of their faces bolt protuberances adjusted to ~~the holes in one of the members made in the shelves~~ and on the other side the corner elements are fastened through screws; said drawer being moved through sliding elements.

6. (^{Previously}Currently Amended) A modular system according to claim 1, wherein the hanging pipes are made of steel of oval cross section and covered with polyvinyl chloride (PVC), said fastening elements being fastened onto the wall ^Sof the enclosure or onto the lateral screens of the ~~main~~ tower module through screws.

7. (Currently Amended) A modular system according to claim 1, wherein the shelves of the main tower module can be fastened to the respective screens ~~wall~~ and at different spaces, larger or smaller, depending on the need of user.

8. (~~Currently~~^{Previously} Amended) A modular system according to claim 1, wherein the lateral screens are no larger than half the size of the depth of the shelves, thereby facilitating ventilation and elimination of moisture.

9. (Currently Amended) A modular system according to claim 1, wherein each ^{ves} of the shelf contains veneer strip with portions on the left and right side edges and can include in their left and right side edges a "U" shaped total or partial reinforcement to increase their mechanical strength, fastened through screws.

10. (Previously presented) A modular system according to claim 1, wherein the thickness of the lateral screens is the same as the thickness of the tower shelves.

11. (Previously presented) A modular system according to claim 3, wherein the ~~main~~ tower module includes sliding chests of drawers with edges lined and reinforced with extruded PVC edges or with plastic tape.

12. (Previously presented) A modular system according to claim 8, wherein the lateral screens have a depth of 20 cm.

13. (Previously presented) A modular system according to claim 1 wherein the shelves are made of agglomerated material.

In re Orozco

U.S. Application Serial No. 10/812,441

Response to Office Action dated August 14, 2006

14. (Previously presented) A modular system according to claim 13 wherein the shelves are 40 cm deep and 61 cm long.

15. (Currently amended) A modular system according to claim 1 wherein the lateral screens further comprise ~~non-reinforcement~~ ~~are not reinforced~~ with extruded plastic profiles or veneer strips.